

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

ZION H. CHEN,

Plaintiff,

v.

AVIVA LIFE AND ANNUNITY CO., *et al.*,

Defendants.

Civ. Action No.: 12-3051(FLW)

ORDER

THIS MATTER having been opened to the Court by the Magistrate Judge’s Report and Recommendation dated January 27, 2016, recommending that this Court dismiss Plaintiff Zion H. Chen’s (“Plaintiff) Complaint for failure to comply with Court Orders and to prosecute his case pursuant to Fed. R. Civ. P. 37(b)(2); 41(b); it appearing that the Magistrate Judge, after weighing the factors set forth in *Poulis v. State Farm Casualty Co.*, 747 F.2d 863, 868 (3d Cir. 1984), found that dismissal is warranted because “[Plaintiff] has failed to take any steps towards advancing [his case.] Plaintiff [] failed to comply with this Court’s Orders, including a Scheduling Order and the OTSC . . .,” *see* Report and Recommendation dated January 27, 2016; it appearing that Plaintiff’s actions or inactions have demonstrated a pattern of non-compliance with his obligations under the Rules; it further appearing that Plaintiff has not objected to the Magistrate Judge’s recommendations; accordingly, for the reasons set forth in the Magistrate Judge’s Report and Recommendation,

IT IS on this 30th day of March, 2016,

ORDERED that the Magistrate Judge's Report and Recommendation dated January 27, 2016, is hereby **ADOPTED**; and it is further

ORDERED that the Complaint is **DISMISSED**.

/s/ Freda L. Wolfson
Freda L. Wolfson
United States District Judge